

CIVIL DOCKET
UNITED STATES DISTRICT COURT

DAUGHERTY
 Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
PATRICIA BARROWS, Plaintiff, VS DAVE T. FAULKNER, Sheriff of Tulsa County, State of Oklahoma; CHARLES GARY JAMES, Deputy Sheriff of Tulsa County, State of Oklahoma; CHARLES MAYBEE, Deputy Sheriff of Tulsa County, State of Oklahoma; WESTERN SURETY COMPANY, a Foreign Insurance Corporation,		For plaintiff: C. Jack Maner 520 Center Building Tulsa, Oklahoma 74119 583-7144 Park, Tawney & Dalton/Andrew T. Dalton, 328 West Kenosha Jr. Broken Arrow, Okla 74012 (251-7415)					
		For defendant: Coffey, Lassiter & Oliver 4th National Bldg Tulsa, Oklahoma Larry L. Oliver, 4th National Bldg., Tulsa, Oklahoma, 74119 Andrew B. Allen, Asst. S. M. Fallis, Jr., District Attorney Tulsa County Courthouse, Tulsa, 74103					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 5-1-70	Clerk	4-15-70	Maner	15 00	15 00		
		4-16-70	CD 45				
J.S. 6 mailed 10-1-71	Marshal						
Basis of Action: Constitution	Docket fee						
Civil Rights Act.	Witness fees						
Action arose at: Tulsa, Okla.	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-15-70	Complaint, filed. js	
4-15-70	Summons, Issued. js	
4-21-70	Summons returned, filed - served Dave T. Faulkner, Charles Gary James and Charles Maybee personally at Tulsa, Okla., on 4-16-70. (Fee \$9.00) b	
4-28-70	Return on service of writ, filed: served Western Surety Company by serving State Insurance Com. at Okla. City, 4-20-70. (USM \$4.72 + \$3.00 to Ins. Commr.)g	
5-5-70	Application for extension of time to file answer, filed. ds	
5-5-70	Order extending time an additional 15 days to answer, filed. (MME-Cl) ds	
5-20-70	Motion of defendants to dismiss, with brief in support thereof, and affidavits of John S. Morgan, Charles Maybee, Charles Gary James, Gussie Hallford, Charles N. Bailey, filed. e <i>mailed</i>	
5-20-70	Plaintiff directed to file responsive brief to defendants' motion to dismiss within 10 days. (AEB-J)g	
5-22-70	Ordered by the Court that the plaintiff respond to the defendants' motion to dismiss, with supporting brief, within 10 days from date. (Fred Daugherty - Judge)	
5-25-70	Notice to take depositions of Jack Purdie, Chas. Gary James, Charles Maybee and Dave T. Faulkner, filed. g Subpoenae issued. g	
6-1-70	Plaintiff's response to defendants' motion to dismiss, filed. b <i>mailed</i>	
6-1-70	Plaintiff's answer (in opposition to motion to dismiss) to defendants' brief, filed. b <i>mailed</i>	
6-1-70	Defendants' motion to limit scope of examination under Rule 30(b) of the Federal Rule of Civil Procedure, filed. b	
6-1-70	Affidavit of Dave T. Faulkner, filed. b <i>mailed</i>	
6-1-70	Brief in support of motion to limit scope of examination under rule 30 (b), Federal Rules of the Civil Procedure, filed. b <i>mailed</i>	
6-3-70	Four deposition subpoenas returned, filed - served Charles Maybee, Charles Gary James, Dave T. Faulkner and Jack Purdie, each on May 26, 1970 at Tulsa, Okla. b	
6-9-70	Deposition of William A. Wilbanks, on behalf of plaintiff, taken before Patricia Walker, N. P. (Fee \$14.00) b filed.	
6-9-70	Depositions of Dave T. Faulkner, Charles Gary James and Patricia Barrows and Charles Maybee, taken on behalf of plaintiff, before Patricia Walker, N. P. (\$14.00), filed.	
6-9-70	Depositions of Dave T. Faulkner, Charles Gary James, Patricia and Don Barrows, Charles Maybee, taken on behalf of plaintiff before Patricia Walker, N. P., filed. (\$14.00)	
6-16-70	Ordered by the Court that the plaintiff respond to the defendant's motion to limit scope of examination under Rule 30(b) of the FRCP, with supporting brief, within 15 days from date. (Fred Daugherty-Judge) b	
6-24-70	Plaintiff's response to defendants' motion to limit examination under Rule 30 (b) of the Federal Rules of Civil Procedure, filed. ds <i>mailed</i>	
6-24-70	Brief in support of plain tiff's response to defendants' motion to limit scope of examination, filed. ds <i>mailed</i>	
7-8-70	Order filed, defendants' motion to limit scope of examination under Rule 30(b) is stricken and the parties ordered to proceed in discovery matters under the FRCP, as amended. (Fred Daugherty-Judge) b copies mailed to counsel.	
7-16-70	Order filed, that the defendants' motion to dismiss is overruled and they are granted 20 days to answer the complaint. (Fred Daugherty-Judge) b copies mailed to counsel of record. b	

Continued

(Continued on Sheet No. 2, Page No. 3)

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-31-70	Application of defendant Dave T. Faulkner, Sheriff, for order sealing deposition, filed. ds	
7-31-70	Order sealing depositions of Dave T. Faulkner, to be opened only by order of the Court, filed. (FD-J) ds <i>copies marked</i>	
8-6-70	Defendants' Answer, filed. v	
9-23-70	Depositions of Don Edward Barrows and Patricia Barrows, filed. (Fees: \$97.00 pd by defts.)m	
9-23-70	Depositions of Dave T. Faulkner and Charles Gary James, filed. (Fees: \$170.00 pd by pltf.)m	
1-11-71	Ordered by the Court that this case is set for pre-trial hearing on Tuesday, January 26, 1971 at 10:00 A. M. (Fred Daugherty - Judge) b	
1-26-71	Pre-trial hearing held, case strictly under Civil Rights Act and excessive force. Plaintiff to brief within 10 days Officer's past act of violence and defendants 10 days to file answer brief. Defendant 10 days to brief plaintiff's conviction being admissable, plaintiff to file answer brief in 10 days; defendant 10 days to brief whether officer resigned or terminated, plaintiff 10 days to file answer brief; No demands for jury having been made, case is set on the Non-Jury trial assignment and plaintiff prepare pre-trial order. (Fred Daugherty - Judge) b	
2-5-71	Brief in support of certain evidence proffered by defendant, filed. ds	
2-8-71	Defendants' proposed pre-trial order, filed. <i>mailed</i>	
2-8-71	Plaintiff's brief in support of the admissibility of certain evidence, filed. b	
2-16-71	Defendant's pre-trial order, filed. (Fred Daugherty-Judge) b	
2-17-71	Letter of C. Jack Maner to Judge Daugherty, filed, that plaintiff be allowed to brief the question of whether or not the defendants have a right to prove the plaintiff was convicted of the charges alleged against her. b	
2-17-71	Ordered by the Court that the plaintiff have 10 days within which time to brief the question of whether or not the defendants have a right to prove the plaintiff was convicted of the charges alleged against her. (Fred Daugherty - Judge) b	
2-18-71	Defendant's answer to plaintiff's brief in support of the admissibility of certain evidence, filed. <i>mailed</i>	
2-26-71	Plaintiff's reply to defendants' brief on the admissibility of crimes and the defense of contributory negligence, filed. b <i>mailed</i>	
4-8-71	Motion of Dave T. Faulkner, Sheriff of Tulsa County, and Western Surety Company for Summary Judgment, filed. b <i>mailed</i>	
4-8-71	Brief of Dave T. Faulkner, Sheriff of Tulsa County, and Western Surety Company for Summary Judgment, support of. filed. b <i>mailed</i>	
4-14-71	Copy of Judge Daugherty's letter of 4-13-71 to Jack Maner, Atty., filed; that plaintiff respond to motion of Dave T. Faulkner, Sheriff's and Western Surety Company's motion for Summary Judgment, with brief within 10 days. b	
4-23-71	Plaintiff's Reply to Motion for Summary Judgment of Defendants, Dave T. Faulkner, and Western Surety Company, Filed. r <i>mailed</i>	
6-7-71	Order filed and entered, that motion for S/J is granted and Plaintiff's Deft's Dave Faulkner & Western Surety Co. is dismissed. (FD-J)r Filed.	
8-24-71	Ordered by the Court, to set case for Non-Jury Trial on Wednesday, September 8, 1971 at 2:00 P.M. (FD-J)r	

(OVER)

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-2-71	Application to withdraw as attorneys of record, filed by Maner & Armstrong, filed. r <i>Maner</i>	
9-3-71	Entry of appearance of Park, Tawney & Dalton. <i>Maner</i> Plaintiff's Motion for continuance, filed. v	
9-3-71	Memorandum in support of Motion for continuance, filed. v <i>Maner</i>	
9-7-71	Order denying application of C. Jack Maner, attorney of record, in view of trial setting of case on 9-8-71, and case to proceed to Non-Jury Trial as set. Filed. (FD-J)r <i>Maner</i> <i>Copied to attys</i>	
9-7-71	Ordered by the Court, that Motion for continuance filed by Andrew T. Dalton, Jr. for pltf., is denied. The appl. of C. Jack Maner to withdraw as counsel for pltf is denied. Case will be tried on 9-8-71 as set. (FD-J)r <i>Letter sent to court 9-8-71</i>	
9-8-71	Stipulation of dismissal with prejudice, filed. v	
9-8-71	<u>Case stricken from Non-Jury trial. Order filed in open court, dismissing case with prejudice, filed and entered. (FD-J)r</u>	